

Virginia Howard
Chair President



Members
Mary Cabeza
Lisa M. Fratarcangeli
Emilio Guerra
Mayda Miranda

Planning & Zoning Meeting
Minutes
January 09, 2025
6:30 p.m.

1. Call to Order

Chair President Virginia Howard called the meeting to order at 6:30 p.m.

2. Invocation

3. Pledge of Allegiance

Chair President Virginia Howard led the Pledge of Allegiance.

4. Roll Call

Chair President Howard, Member Guerra, Member Cabeza, Member Fratarcangeli, Village Architect Perez-Vichot, and Attorney Cuadra were in attendance.

5. Meeting Notices

- Any person who decides to appeal any decision of the Village Council with respect to any matter considered at this meeting will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the Village at least 2 days before the proceeding by contacting the Village Clerk's office at **305-871-6104**.

6. Approval of Minutes

(A)

None

7. Announcement of Amendments/Corrections to the Agenda

8. Old Business

(A) None

9. New Business

(A) Yes

All Variance Request

ADDRESS OF PROPERTY:

6301 NW 39 TERRACE, VIRGINIA GARDENS, FL 33166

Folio: 26-3025-002-0120

OWNER –

MALCOM E GRACY TRS
THE MALCOLM AND DONNA GRACY
REVOCABLE LIVING TRUST

THE FOLLOWING VARIANCES HAVE BEEN REQUESTED BY THE MALCOLM AND DONNA GRACY REVOCABLE LIVING TRUST WITH RESPECT TO CHAPTER 16 SECTION 6.4.1 & 6.4.2 OF THE VILLAGE OF VIRGINIA GARDENS CODE SO AS TO ALLOW FOR AN INCREASED IN FRONT YARD IMPERVIOUS AREA

Section 6.4.1: Impervious surface on a development site shall not exceed the lot coverage maximums provided in Table 6.2.1 use net site area.

Section 6.4.2: Maximum vehicular and impervious area of front yard - single family district.

The percentage of total front yard impervious area occupying vehicular use, aisles, driveways and walkways shall not exceed 40%.

Total Impervious area is exceeded

Total Yard Area: 6,000 sq. ft.

Maximum Allowed: 30% 1800

Proposed: 36% +/-2156

Mr. Malcom Gracy is respectfully requesting a proposed increase of the driveway of 2,156 sq. ft. He wants to replace what is existing when he bought the property in 1986. He has been a longtime resident of Virginia Gardens and would like to enhance his house. He is a few sq ft away with according with the new ordinance is. Born and raised in Miami Springs then later purchased a house in Virginia Gardens. All today we had a Public works to see the side walk which a few of the concrete are broken. He will be replacing everything the whole nine yards all the driveway, entrance to the driveway, walkway, approach and sidewalks. The material to be used is concrete. It will be the square blocks with green grass

spacing to allow water to filter out. Pictures were shown on the screen along with the letter and will be attached as well to the minutes as Exhibit 1. He has driven around and seen other homes with the same drive ways with concrete. However, saw one home on the cul-de-sac and believes that may be where the problem arises it occurred when the residence covered all with concrete of the resident driveway he believes. Also, drove around at 64th and another one driveway with same concrete design. I just want to enhance the beauty of my home. I am just replacing what is existing I am not adding or subtracting.

Manny replies: In reality, it's not the front where the problem is you do have less than 40% in the front. It's the overall where you have exceeded the sq. footage.

Mr. Malcom Gracy - Like I said I bought the house the way it was

Manny replies: I am not sure they have pulled a permit for the pool. Or not?

Mr. Malcom Gracy – When I moved into the house. Like I said I bought the house the way it was and was there.

Manny replies: You can start looking into the sketch with alittle bit of color in the beginning. All in yellow is impervious. The pool, deck, and so forth. As you can see the front is not that much it's not much. Those were the impervious areas that were noted. Also, 5 feet were noted for setback.

Mrs. Howard- You said you are going to place the big square with the grass in between.

After discussion, the variance motion was made by member Emilo Guerra 2nd by Mary Cabezas

The motion was taken motion passes 4-0

Variance granted and the next council meeting must be attended on 1/16/2024

Public Works needs to be approved by Public Works office for sidewalk and approach. You need a permit.

Council will let be know the Variance has been approved from Planning and Zoning.

10. Good & Welfare

Mr. Guerra mentioned a comment regarding the 2 story house on 39 street. Looks like a duplex. However, It is a single family home. Manny has the plans he has reviewed and height are in limits. It looks like 2 units but it is a single family home. They have a terrace. Plans were rejected and they came back with the correct space with not be occupied. Manny reviewed and was within code.

11. Adjournment

A motion to adjourn the meeting made by Member Guerra was seconded by Member Cabeza. Chair President Howard adjourned the meeting at 6:56p.m.

Malcolm and Donna Gracy Revocable Living Trust
6301 NW 39th Ter
Virginia Gardens, FL 33166
305-812-4240

Date: January 6, 2025
Planning and Zoning Board

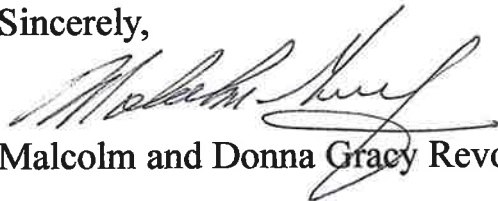
To the Planning and Zoning Association,
I am the homeowner of 6301 NW 39th Terrace and am writing to request approval for the replacement of our existing driveway and sidewalk. We have cherished and maintained our home since 1986, and these improvements are necessary to enhance its aesthetic appeal and functionality.

The proposed project will not increase the amount of pavement beyond what is currently in place. Our intention is to replace the existing driveway and sidewalk with new materials that will beautify the front of our home and positively contribute to the neighborhood's appearance.

We believe these upgrades will not only benefit our property but also align with the community's standards and values. We kindly ask for your favorable consideration of our request.

Thank you for your time and attention to this matter.

Sincerely,



Malcolm and Donna Gracy Revocable Living Trust

From: Buddy Gracy modsofl@bellsouth.net

Date: Jan 6, 2025 at 10:40:54 AM

To: Malcolm Gracy MODSOFL@bellsouth.net

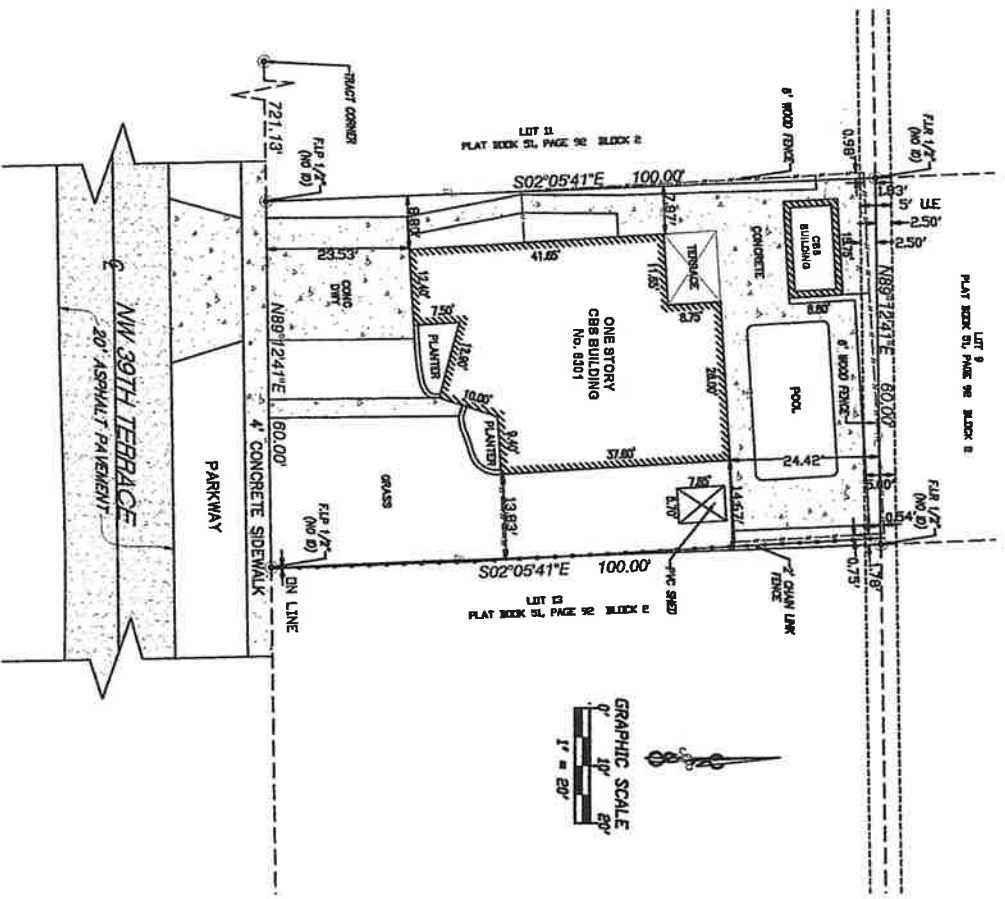






Sent from my iPhone

BOUNDARY SURVEY



LEGAL DESCRIPTION
 LOT 12, BLOCK 2, OF GREEN HAVEN SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 51, PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

CERTIFIED TO:

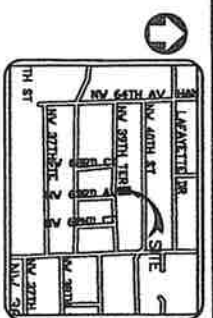
MALCOM E GRACY TRS, THE MALCOLM AND DONNA GRACY, REVOCABLE LIVING TRUST, DONNA LYN GRACY TRS

ELEVATION INFORMATION:

BASED ON THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY DATED 09/11/2009 THE HEREIN DESCRIBED PROPERTY IS SITUATED WITHIN ZONE AH (EL. 7) BASE FLOOD ELEVATION COMMUNITY 120861 PANEL NUMBER 0281 SUFFIX L THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY.

LEGAL NOTES

THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP, EXAMINATION OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY. THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORD. LEGAL DESCRIPTIONS PROVIDED BY CLIENT.
 THE LIABILITY OF THIS SURVEY IS LIMITED TO THE COST OF THE SURVEY. UNDERGROUND ENCROACHMENTS, IF ANY, ARE NOT SHOWN. THIS FIRM HAS NOT ATTEMPTED TO LOCATE FOOTING AND/OR FOUNDATIONS AND/OR UNDERGROUND IMPROVEMENTS OF ANY NATURE. IF SHOWN, BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN. IF SHOWN, ELEVATIONS ARE REFERRED TO N.G.V.D. OF 1929. THE CLOSURE IN THE BOUNDARY SURVEY IS ABOVE 1:10000.
 THIS SURVEY IS NOT INTENDED FOR NEITHER DESIGN FOR CONSTRUCTION PURPOSES. FOR THOSE PURPOSES A TOPOGRAPHIC SURVEY IS REQUIRED.
 FENCE OWNERSHIP NOT DETERMINED.
 LOWEST FLOOR ELEVATION REPRESENT FINISHED FLOOR ELEVATION AT THE FRONT DOOR UNLESS OTHERWISE NOTED.



LOCATION SKETCH
 SCALE: 1/16"

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE OF PROFESSIONAL AND BELIEF. THIS SURVEY COMPLES WITH THE STANDARDS OF PRACTICES AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 51-17.050-17.052 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISE SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER



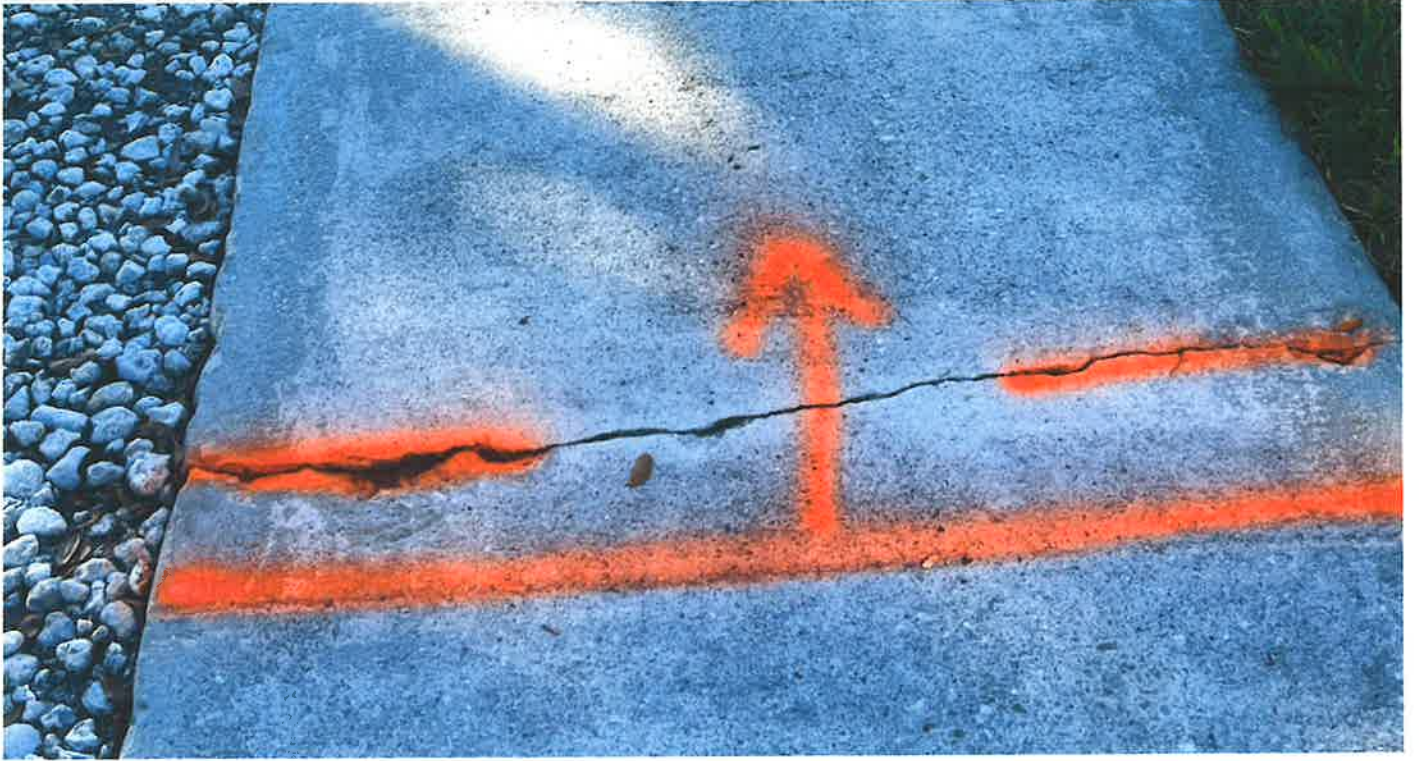
Digitally signed
 by Orlando
 Grandal
 Date: 2024.08.28
 10:16:41 -04'00'

JOB NUMBER _____
 PROPERTY ADDRESS 6301 NW 39TH TERRACE, VIRGINIA GARDENS, FL 33184
 (FURNISHED BY CLIENT)

FIELD WORK DATE: 08/24/2024

DATE: REVISIONS

ORLANDO GRANDAL, P.E.M.
 PROFESSIONAL SURVEYOR AND MAPPER No. 101641







Sent from my iPhone

VILLAGE OF VIRGINIA GARDENS
PUBLIC NOTICE

THE FOLLOWING VARIANCES HAVE BEEN REQUESTED BY THE MALCOLM AND DONNA GRACY REVOCABLE LIVING TRUST WITH RESPECT TO CHAPTER 16 SECTION 6.4.1 & 6.4.2 OF THE VILLAGE OF VIRGINIA GARDENS CODE SO AS TO ALLOW FOR AN INCREASED IN FRONT YARD IMPERVIOUS AREA

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LEGAL DESCRIPTION OF PROPERTY:

Lot 2, Block 12, of GREEN HAVEN SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 51, Page 92, of the Public Records of Dade County, Florida, AND

FOLIO: 26-3025-002-0120

ADDRESS OF PROPERTY: 6301 NW 39 Terr

ANY OBJECTIONS TOTHE ABOVE VARIANCE MUST BESUBMITTED IN WRITING TO THE VILLAGE CLERK ON OR BEFORE THE NEXT MEETING OF THE PLANNING AND ZONING BOARD WHICH WILL BE HELD ON JANUARY 9, 2025 AT 6:30 P.M., AT THE TOWN HALL, 6498 N.W. 38 TERRACE, VIRGINIA GARDENS, FLORIDA, AT WHICH TIME THIS REQUEST WILL BE CONSIDERED.

A FINAL DECISION WILL BE MADE BY THE VILLAGE COUNCIL.THE FIRST MEETING TO BE HELD AT WHICH TIME THE SUBJECT EXCEPTION WILL BE ADDRESSED ON JANUARY 09, 2025 AT 6:30 P.M. AT THE TOWN HALL.

THE PUBLIC IS INVITED TO ATTEND.

MARITZA FERNANDEZ
VILLAGE CLERK